



JAMES A. NOYES, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
[www.ladpw.org](http://www.ladpw.org)

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: **C-1**

April 8, 2004

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**ADOPT AND ADVERTISE  
LIVE OAK DAM AND RESERVOIR SEDIMENT REMOVAL  
SUPERVISORIAL DISTRICT 5  
3 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY  
OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

1. Find that the removal and disposal of sediment deposited in Live Oak Reservoir following the Williams and Padua Fires is exempt from the provisions of the California Environmental Quality Act.
2. Approve the project and adopt the plans and specifications for Live Oak Dam and Reservoir Sediment Removal, in the vicinity of Claremont (5), at an estimated cost between \$700,000 and \$800,000.
3. Call for bids to be received on May 25, 2004.
4. Instruct the Executive Officer of the Board of Supervisors to advertise the project and to seal and return the plans and specifications to Public Works for filing.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Permits from several regulatory agencies must be obtained before sediment removal can begin. Completion of California Environmental Quality Act (CEQA) documentation is necessary prior to issuance of these regulatory permits. The Williams Fire in 2002 and the Padua Fire in 2003 burned over 90 percent of the watershed tributary to Live Oak Dam. To maintain an acceptable level of flood protection and prevent damage to the Dam's outlet works, it is necessary to remove accumulated sediment from the reservoir. This project involves the excavation and disposal of 115,020 tons of sediment.

### **Implementation of Strategic Plan Goals**

This project is consistent with the County Strategic Plan Goal of Service Excellence since it will provide for essential maintenance of flood control facilities that protect downstream communities.

### **FISCAL IMPACT/FINANCING**

The estimated construction cost is in the range of \$700,000 to \$800,000.

Sufficient funds for this project are available to the Flood Control District for the Fiscal Year 2003-04.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

A standard Notice of Exemption will be filed with the County Clerk. This Notice of Exemption has been approved by County Counsel.

The enclosed plans and specifications include the contractual provisions, methods, and material requirements necessary for this project. The contract agreement will be in the form previously approved by County Counsel.

As required by your Board, language has been incorporated into the project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees, that they may be eligible for the Federal Earned Income Credit under the Federal income tax laws.

### **ENVIRONMENTAL DOCUMENTATION**

The removal of sediment from the reservoir is exempt as an emergency project under Public Resources Code, Sections 21080(b)(2), (3), and (4), and CEQA Guidelines, Sections 15269(a), (b), and (c). As set forth in the enclosed Notice of Exemption, which is incorporated herein by reference, the project is necessary to mitigate the emergency situation relating to the Live Oak Dam and Reservoir caused by the Williams and Padua Fires. Filing a Notice of Exemption will serve to satisfy CEQA regulations. This process is necessary prior to issuance of regulatory permits needed to initiate sediment removal activities.

### **CONTRACTING PROCESS**

This project will be contracted on an open competitive bid basis. The contract will be awarded to the lowest responsible bidder meeting the criteria established by your Board and the California Public Contract Code.

To increase contractor awareness of our program to contract work to the private sector, this project will be listed on the County website for upcoming bids.

The project specifications contain provisions 1) requiring the contractor to comply with the County's Child Support Compliance Program, 2) requiring the contractor to report solicitations of improper consideration by County employees and allowing the County to terminate the contract if it is found that the contractor offered or gave improper consideration to County employees, 3) requiring the contractor to comply with the requirements of the County's Contractor Employee Jury Service Program, and 4) requiring the contractor to comply with the Newborn Abandonment Law (Safely Surrendered Baby Law).

The project specifications also contain a provision that, should the contractor require additional or replacement personnel to fill employment openings, consideration shall be given to hiring qualified participants in the County's Greater Avenues for Independence or General Relief Opportunities for Work Programs.

The Honorable Board of Supervisors  
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To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, their civil litigation history, and information regarding prior criminal convictions. The information reported will be considered before making a recommendation to award.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The project is to be completed in 80 working days. It is estimated that the work will start in September and be completed in December 2004. Local residents and businesses will be informed that traffic and local access will be mildly disrupted during the construction.

### **CONCLUSION**

Enclosed are the original and one copy of the Notice of Exemption for the Live Oak Reservoir Cleanout. It is requested that the original Notice of Exemption be approved and returned to this office for filing with the County Clerk. A copy of the Notice of Exemption should be retained for your files.

Please return one approved copy of this letter to Public Works.

Respectfully submitted,

JAMES A. NOYES  
Director of Public Works

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Enc.

cc: Chief Administrative Office  
County Counsel  
Office of Affirmative Action Compliance

LIVE OAK DAM AND RESERVOIR SEDIMENT REMOVAL  
INSTRUCTION SHEET FOR PUBLISHING LEGAL ADVERTISEMENT

From: Department of Public Works  
Construction Division

PUBLISHING

In accord with Section 20991 of the Public Contract Code.

Publish: At least five or more times prior to the date set for opening bids, in a daily newspaper of general circulation printed and published in the County and designated by the Board, or for at least two times prior to such date in a weekly newspaper printed and published in the County and designated by the Board.

Time Limitation: To open bids in five weeks.

## NOTICE INVITING BIDS

Sealed Bids will be received by the County of Los Angeles Department of Public Works, Construction Division, for the removal and disposal of sediment, organic material, and trash from a reservoir under Project ID No. WRDD000012, Live Oak Dam and Reservoir Sediment Removal, in the vicinity of Claremont.

The Bids must be submitted at the Cashier's Office, west side of main lobby, 900 South Fremont Avenue, Alhambra, California 91803-1331, before 11 a.m. on Tuesday, May 25, 2004. The Bids will then be publicly opened and read in Conference Room A or at the location posted in the main lobby.

The Work shall be done in accordance with the Plans and Specifications on file and open for inspection at the County Board of Supervisors Executive Office and the Department of Public Works. The Work is estimated to cost between \$700,000 and \$800,000 and shall be completed in 80 working days. The Work requires a California Class A or contractor's license. Prebid questions regarding the Plans and Specifications should be directed to Mr. Erik Updyke at (626) 458-4914. Prebid questions will not be accepted after 5:00 p.m. Thursday, May 13, 2004.

**A mandatory prebid meeting for this Contract will be held at 10 a.m. on Tuesday, May 11, 2004, at the Project site, Thomas Guide Page 571-A5. Attendance at this meeting is mandatory for award of the Contract.**

The Bids must be submitted on the Proposal forms included in the Bidder's package of the Contract Documents, which may be purchased for \$14, if picked up at the aforementioned Cashier's Office, (626) 458-6959, Monday through Thursday between 7 a.m. and 5:30 p.m., or for \$17, if mailed, which includes postage and handling.

Each Bid must be accompanied by a certified check, cashier's check, or surety bond payable to Los Angeles County in an amount equal to at least 10 percent of the Bid to guarantee that the Bidder will enter into the Contract if it is so awarded.

All persons performing the Work shall be paid not less than the General Prevailing Wage Determination made by the Director of Industrial Relations pursuant to the California Labor Code. Copies of these wage rates are available at the Department of Public Works.

The Bid must provide full disclosure of False Claims Act violations and civil/criminal legal actions as provided for on the three forms included as part of the Proposal. Failure to complete these forms may result in a determination that the Bidder is nonresponsive and/or not responsible.

The Contract, if awarded, will be awarded to the lowest responsive and responsible Bidder; however, the Board of Supervisors reserves the right to reject any and all bids.

A responsible Bidder is a Bidder who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity, and experience to satisfactorily perform the Contract. It is the County's policy to conduct business only with responsible contractors.

The successful Bidder will be required to submit a faithful performance bond, payment bond, liability insurance, and workers' compensation insurance with the Contract.

As provided for in Section 22300 of the California Public Contract Code, the Contractor may substitute securities for any monies withheld by the Department of Public Works to ensure performance under the Contract or enter into an escrow agreement for payment of such monies to an escrow agent.

Each person by submitting a response to this Notice Inviting Bids certifies that such Bidder and each County lobbyist and County lobbying firm, as defined by Los Angeles County Code Section 2.160.010, retained by the bidder, is in full compliance with Chapter 2.160 of the Los Angeles County Code.

Para mas informacion con relacion a esta noticia, por favor llame a este numero (626) 458-3118. Nuestras horas de oficina son de 7 a.m. a 5 p.m. de Lunes a Jueves.

The County supports and encourages equal opportunity contracting.

By order of the Board of Supervisors of the County of Los Angeles, State of California.

Dated April 20, 2004.

Violet Varona-Lukens  
Executive Officer  
of the Board of Supervisors

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